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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ADOLFA LUNA BENITEZ,

CV 03-388-AA

Plaintiff,

v.

ORDER GRANTING
ATTORNEYS' FEES
PURSUANT TO 42 U.S.C. §
406(b)

JO ANNE B. BARNHART
Commissioner of Social Security,

Defendant.

Attorneys' fees in the amount of \$8460.00 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). The court finds that this is a reasonable fee in light of the circumstances in this case. Previously, this court awarded \$4016.84 pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the 406(b) check for payment to Plaintiff's attorney, the agency is directed to subtract the amount previously awarded under the EAJA and send Plaintiff's attorney the balance of \$4443.16, minus any applicable processing fees as allowed by statute.

DATED this 21 day of April, 2005.


United States District Judge

Presented by:

/s/ Kimberly K. Tucker
Kimberly K. Tucker
Alan Stuart Graf, P.C.

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